

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**DESIREE KEYS,**

**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

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**No.4:10CV2387SNLJ/NAB**

**ORDER AND JUDGMENT**

Having received no objections thereto,

**IT IS HEREBY ORDERED** that the Report and Recommendation of United States Magistrate Judge Nanette A. Baker [17], filed December 8, 2011 be and is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

**IT IS FURTHER ORDERED** that the relief sought by the plaintiff's complaint be **GRANTED IN PART** and **DENIED IN PART** insofar that benefits will not be awarded to plaintiff at this time; however, this matter will be remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation [17].

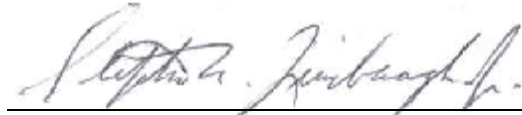
**IT IS FURTHER ORDERED** that the final decision of the Commissioner denying the plaintiff's application for disability benefits be and is **REVERSED**.

**IT IS FINALLY ORDERED, ADJUDGED, AND DECREED** that pursuant to Sentence Four of 42 U.S.C. §405(g), this case is **REMANDED** to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation [17]. On remand, the ALJ shall reassess plaintiff's RFC consistent with the instant Report and Recommendation; and, the ALJ shall

also assess whether the plaintiff can return to her past relevant work, in a manner consistent with the instant Report and Recommendation.

This Court does not retain jurisdiction of this case.

Dated this 20th day of March, 2012.

A handwritten signature in cursive script, appearing to read "Stephen A. Fierbaugh".

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UNITED STATES DISTRICT JUDGE